

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

AMPEX CORPORATION.

Plaintiff,

y.

C.A. No. 04-1373 (KAJ)

EASTMAN KODAK COMPANY,
ALTEK CORPORATION, and
CHINON INDUSTRIES, INC.,

Defendants.

**AMPEX CORPORATION'S MOTION FOR
SUMMARY JUDGMENT THAT U.S. PATENT NO. 4,802,019
IS NOT PRIOR ART TO U.S. PATENT NO. 4,821,121**

Pursuant to Fed. R. Civ. P. 56, Plaintiff Ampex Corporation (“Ampex”) hereby moves for summary judgment that U.S. Patent No. 4,802,219 is not prior art to U.S. Patent No. 4,821,121. The grounds for this motion are set forth in Ampex Corporation’s Opening Brief In Support Of Its Motion For Summary Judgment That U.S. Patent No. 4,802,019 Is Not Prior Art To U.S. Patent No. 4,821,121, filed herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

OF COUNSEL:

Jesse J. Jenner
Sasha Rao
Ropes & Gray LLP
1251 Ave of the Americas
New York, NY 10020 USA
(212) 596-9000

/s/ Julia Heaney (#3052)

Jack B. Blumenfeld (#1014)
Julia Heaney (#3052)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899-1347
(302) 658-9200
jheaney@mnat.com
*Attorneys for Plaintiff
Ampex Corporation*

Norman H. Beamer
Gabrielle E. Higgins
Ropes & Gray LLP
525 University Avenue
Palo Alto, CA 94301
(650) 617-4000

James E. Hopenfeld
Ropes & Gray LLP
One Metro Center
700 12th Street, NW
Washington, DC 20005
(202) 508-4600

May 23, 2006

CERTIFICATE OF SERVICE

I, Julia Heaney, hereby certify that on May 23, 2006, I caused to be electronically filed the foregoing with the Clerk of the Court using CM/ECF, which will send notification of such filing(s) to the following:

Paul M. Lukoff, Esquire
David E. Brand, Esquire
Prickett, Jones & Elliott, P.A.

and that I caused copies to be served upon the following in the manner indicated:

**BY E-MAIL on 5/23/06 and
BY HAND on 5/24/06**

Paul M. Lukoff, Esquire
Prickett, Jones, Elliott, P.A.
1310 King Street
Wilmington, DE 19899

**BY E-MAIL on 5/23/06 and
BY FEDERAL EXPRESS on 5/24/06**

Michael J. Summersgill, Esquire
Wilmer Cutler Pickering Hale and Dorr LLP
60 State Street
Boston, MA 02109

/s/ Julia Heaney
Julia Heaney (#3052)
jheaney@mnat.com